

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

ABBOTT LABORATORIES, an Illinois  
corporation, FOURNIER INDUSTRIE ET  
SANTÉ, a French corporation, and  
LABORATOIRES FOURNIER S.A., a  
French corporation,

Plaintiffs,

v.

TEVA PHARMACEUTICALS USA, INC.,  
a Delaware Corporation,

Defendant.

---

TEVA PHARMACEUTICALS USA, INC.,  
a Delaware corporation, TEVA  
PHARMACEUTICAL INDUSTRIES  
LIMITED, an Israeli corporation, and  
NOVOPHARM, LTD., a Canadian  
corporation,

Counterclaim-Plaintiffs,

v.

ABBOTT LABORATORIES, an Illinois  
corporation, FOURNIER INDUSTRIE ET  
SANTÉ, a French corporation, and  
LABORATOIRES FOURNIER S.A., a  
French corporation,

Counterclaim-Defendants.

Civil Action No. 02-1512-KAJ  
(Consolidated)

ABBOTT LABORATORIES, an Illinois  
corporation, FOURNIER INDUSTRIE ET  
SANTÉ, a French corporation, and  
LABORATOIRES FOURNIER S.A., a  
French corporation,

Plaintiffs,

v.

IMPAX LABORATORIES, INC., a  
Delaware corporation,

Defendant.

Civil Action No. 03-120-KAJ  
(Consolidated)

IMPAX LABORATORIES, INC., a  
Delaware corporation,

Counterclaim-Plaintiff

v.

ABBOTT LABORATORIES, an Illinois  
corporation, FOURNIER INDUSTRIE ET  
SANTÉ, a French corporation, and  
LABORATOIRES FOURNIER S.A., a  
French corporation,

Counterclaim-Defendants.

IN RE TRICOR DIRECT PURCHASER  
ANTITRUST LITIGATION

Civil Action No. 05-340-KAJ  
(Consolidated)

THIS DOCUMENT RELATES TO:

ALL ACTIONS

IN RE TRICOR INDIRECT PURCHASER  
ANTITRUST LITIGATION

Civil Action No. 05-360-KAJ  
(Consolidated)

THIS DOCUMENT RELATES TO:

ALL ACTIONS

**ORDER**

For the reasons set forth in the Memorandum Opinion issued in this matter today,

IT IS HEREBY ORDERED that the Consolidated Motion to Dismiss (C.A. 02-1512, D.I. 383; C.A. 02-1512, D.I. 429; C.A. 03-120, D.I. 294; C.A. 05-340, D.I. 38; C.A. 05-360, D.I. 39) is DENIED.

  
UNITED STATES DISTRICT JUDGE

May 26, 2006  
Wilmington, Delaware